



**DORSET & WILTSHIRE  
FIRE AND RESCUE  
AUTHORITY**

Item 24/08

MEETING	Dorset & Wiltshire Fire and Rescue Authority
DATE OF MEETING	8 February 2024
SUBJECT OF THE REPORT	Local Performance and Scrutiny Committees
STATUS OF REPORT	For open publication
PURPOSE OF REPORT	To discuss and agree
EXECUTIVE SUMMARY	Local Performance and Scrutiny Committees have been in existence since the Authority was formed in 2016. They are constituted under the Local Government Act 1972. This paper seeks a discussion on the merits or otherwise of moving to a more informal arrangement and if agreed proposes that this effect comes into force from the forth-coming annual meeting.
RISK ASSESSMENT	None for the purposes of this report
COMMUNITY IMPACT ASSESSMENT	None for the purposes of this report
BUDGET IMPLICATIONS	A saving of £1,600 x 4 would be made if the recommendation is accepted as informal meetings will not attract a Member's special responsibility allowance.
RECOMMENDATION	Members are asked to: <ol style="list-style-type: none"> <li>1. Discuss and agree the preferred option for the constitution of Local Performance and Scrutiny Committees in readiness for any potential change to take affect from June 2024.</li> </ol>

	<p>2. Subject to recommendation 1, agree the revised terms of reference as set out in Appendix B</p>
<p>BACKGROUND PAPERS</p>	<p>1. Dorset &amp; Wiltshire Fire and Rescue Authority (Combination scheme) Order 2015 (statutory Instrument No. 435).</p> <p>2. Fire and Rescue Authority (Membership) Order 2017 (Statutory Instrument 1165).</p>
<p>APPENDICES</p>	<p>A: Local Performance and Scrutiny Committees. Approved terms of reference.</p>
<p>REPORT ORIGINATOR AND CONTACT</p>	<p>Cllr. Peter Barrow, Chair of the Dorset LPS  cllrpeter.barrow@dorsetcouncil.gov.uk</p> <p>Jonathan Mair, Clerk and Monitoring Officer  jonathan.mair@dorsetcouncil.gov.uk  01305 224181</p>

## 1. Introduction

- 1.1 Since its formation in 2016, the Authority has established Local Performance and Scrutiny Committees to oversee the local delivery of priorities 1, 2 and 3 of its Community Safety Plan. These committees are formally constituted under the Local Government Act 1972 and its associated requirements. This paper aims to promote a discussion about the future constitution of these committees.

## 2. Background to Local Performance and Scrutiny Committees

- 2.1 When the Authority was formed in 2016 under the Dorset & Wiltshire Fire and Rescue Authority (Combination scheme) Order 2015 (statutory Instrument No. 435), it established four Local Performance and Scrutiny Committees (LPS).
- 2.2 As Members are aware, these committees are convened on a quarterly basis and constituted under the Local Government Act 1972 with all of the associated requirements. There are four committees associated with the administrative areas of the following Constituent Authorities: Bournemouth, Christchurch and Poole Council (BCP), Dorset Council, Swindon Borough Council and Wiltshire Council.
- 2.3 As set out in Appendix A, the key focus for these committees is to scrutinise performance and improvement at a local level against the priorities 1, 2 and 3 set out in the Community Safety Plan and to make any recommendations to the Authority as part of arrangements set out in the wider standing orders.
- 2.4 The LPS arrangements currently require all of the formalities stipulated under the Local Government Act 1972 including the need for formal public notification, formal governance arrangements and the need to be physically quorate. For any committee to be quorate under the existing arrangements it must have 3 elected Members physically present. Given these restrictions, the standing orders provide for substitutes as set out in the terms of reference. The Committees are open to the public, have formal papers and have senior officer attendance.
- 2.5 Following combination, the Authority took the decision to streamline its governance arrangements. This was achieved via the Fire and Rescue Authority (Membership) Order 2017 (Statutory Instrument 1165) which took effect from the 6 June 2018.
- 2.6 As Members are aware, the membership of LPSs varies and is aligned to the four administrative areas.
- BCP LPS: 5 Members
  - Dorset LPS: 4 Members
  - Swindon LPS: 3 Members
  - Wiltshire LPS: 6 Members

2.7 The chairmanship of the LPS attracts an additional allowance of £1,600.

### 3. Moving forward

3.1 As Members are acutely aware, there are considerable workload pressures and commitments placed upon them, and many have varied roles and responsibilities associated with their own constituent authorities. Somewhat inevitably, there have been occasions where it has proven necessary to evoke substitute arrangements, particularly where the number of Members has an already restrictive starting point. There have also been occasions when meetings have needed to be cancelled due to Member availability issues or through the consequences of local government elections.

3.2 The terms of reference for LPS' would benefit from being revised. This would provide an opportunity to improve the function of the LPS, for example how they can interact with local authority planning processes.

3.3 In considering any potential change it is perhaps helpful to look at two main options, namely:

- Maintaining the Status quo.
- Moving to a more informal arrangement.

#### *Maintain the status quo.*

3.4 This would mean continuing the current arrangements.

Pros	Cons
<ul style="list-style-type: none"> <li>• Stability</li> <li>• Formality</li> <li>• Public accessibility</li> <li>• Transparency</li> </ul>	<ul style="list-style-type: none"> <li>• Members ability to resource Committees and be physically quorate</li> <li>• Inability in public session to talk through sensitive operational or community issues</li> </ul>

#### *Move to a more informal arrangement.*

3.5 This would mean lessening the formality of the committees and removing many of the requirements under the Local Government Act.

Pros	Cons
<ul style="list-style-type: none"> <li>• Physical meetings would still be facilitated but an option for Members to attend virtually over MS Teams could be available.</li> <li>• It may help to facilitate greater scrutiny of Key Performance Indicators and corporate targets through a more detailed discussion, including some elements that cannot be discussed in the public domain (e.g. operational incident details, sensitive issues such as Bibby Stockholm or fire safety enforcement)</li> <li>• Reduced bureaucracy and meeting administration</li> <li>• Ability for Democratic Services Officer to attend virtually further reducing officer time</li> <li>• Potential financial savings if the Member’s responsibility allowance is removed</li> </ul>	<ul style="list-style-type: none"> <li>• Lack of a public notice and attendance</li> <li>• Potential for transparency to be called into question</li> <li>• Possible removal of LPS chairs allowance</li> <li>• Members attending meetings virtually may be subject to occasional technical issues, although a physical option will remain</li> </ul>

#### 4. Summary

4.1 The Local Performance and Scrutiny Committees have operated since April 2016. There are arguments for and against any change to governance arrangements underpinning these committees, which Members are invited to discuss and agree the best way forward. Should Members decide to depart from the current constitutional arrangements, the change could take effect from the forth-coming annual meeting to be held in June 2024.

## **Appendix A: Local Performance and Scrutiny Committee. Terms of reference.**

### **Main purpose**

The main purpose of the area-based committees is to reduce community and firefighter risks by developing, overseeing, and assuring the delivery of activities associated with prevention, and response. The key focus of the committee is to scrutinise performance and improvement at a local level against the priorities 1, 2 and 3 set out in the Authority's Community Safety Plan and to make any recommendations to the Authority.

There are four committees associated with the administrative areas of the following Constituent Authorities: Bournemouth, Christchurch and Poole Council, Dorset Council, Swindon Borough Council and Wiltshire Council.

### **Terms of reference**

1. To monitor the effectiveness and use of local information to best target prevention, protection and response activities and resources to the needs of local communities.
2. To monitor the effectiveness and improvement of local response emergency arrangements appropriate to its area.
3. To monitor the effectiveness of the discharge of fire safety statutory duties and wider fire protection initiatives appropriate to the build environment.
4. To monitor and periodically review the effectiveness of the approach and initiatives associated with fire safety education and prevention.
5. To monitor the outcomes of partnership working and the effectiveness of engagement with local partners.
6. To monitor the effectiveness of planning, preparedness and local community resilience plans appropriate to their area, developed by the Local Resilience Forum.
7. To monitor and scrutinise performance reports in respect of the key statutory duties within the administrative area overseen by the Committee.
8. To recommend to the Authority proposals for the whole Authority performance monitoring or scrutiny.

### **Membership**

Varies and aligned to the four administrative areas.

- Bournemouth, Christchurch and Poole LPS: 5
- Dorset LPS: 4
- Swindon LPS: 3
- Wiltshire LPS: 6

In addition, any member of a Local Performance and Scrutiny (LPS) Committee may arrange, after consultation with the Chair of that LPS Committee, for a member of another LPS Committee to attend in their place as a substitute. Any substitute's attendance shall count towards achieving quorum for the meeting and they shall be entitled to speak and vote as if they were a full member of the committee.

The majority of those in attendance at the meeting must be Members for the administrative area of that LPS Committee.

**Quorum:** 3

**Chair:** A chair for each LPS administrative area is elected at the first LPS committee meeting to be convened after the Authority annual meeting.

**Meetings:** August/September, November, February/March

**Reporting arrangements:** To the Authority

## **Appendix B: Local Performance and Scrutiny Committee. Terms of reference (revised).**

### **Main purpose**

The main purpose of the area-based committees is to reduce community and firefighter risks by developing, overseeing, and assuring the delivery of activities associated with prevention, protection and response. The key focus of the committee is to scrutinise performance and improvement at a local level against the priorities 1, 2 and 3 set out in the Authority's Community Safety Plan and to make any recommendations to the Authority. There are four committees associated with the administrative areas of the following Constituent Authorities: Bournemouth, Christchurch and Poole Council, Dorset Council, Swindon Borough Council and Wiltshire Council. They are constituted as informal committees falling outside of the stipulations and requirements of the Local Government Act 1972. Although they will be physical meetings, they will allow for Members to attend via MS Team.

### **Terms of reference**

1. To monitor the effectiveness and use of local information to best target prevention, protection and response activities and resources to the needs of local communities.
2. To monitor the effectiveness and improvement of local response emergency arrangements appropriate to its area.
3. To monitor the effectiveness of the discharge of fire safety statutory duties and wider fire protection initiatives appropriate to the build environment.
4. To monitor and periodically review the effectiveness of the approach and initiatives associated with fire safety education and prevention.
5. To monitor the outcomes of partnership working and support the effectiveness of engagement with local partners.
6. To monitor the effectiveness of planning, preparedness and local community resilience plans appropriate to their area, developed by the Local Resilience Forum.
7. To highlight Service wide issues to the Authority to help inform future policy or Service improvement.

### **Membership**

Varies and aligned to the four administrative areas.



- Bournemouth, Christchurch and Poole LPS: 5
- Dorset LPS: 4
- Swindon LPS: 3
- Wiltshire LPS: 6

**Chair:** A chair for each LPS administrative area is elected at the first LPS committee meeting to be convened after the Authority annual meeting.

**Meetings:** August/September, November, February/March

**Reporting arrangements:** To the Authority